
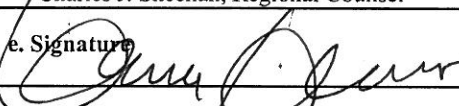



United States Environmental Protection Agency POSITION DESCRIPTION COVER SHEET		1. DUTY LOCATION Dallas, TX		2. POSITION NUMBER 6-5-029	
3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used to Classify this Position <i>PCS for HS-950 (886)</i>					
Official Allocation		b. Title <i>Paralegal Specialist</i>	c. Service <i>GS</i>	d. Series <i>0950</i>	e. Grade <i>12</i>
4. SUPERVISOR'S RECOMMENDATION		PARALEGAL SPECIALIST	GS	0950	12
5. ORGANIZATIONAL TITLE OF POSITION (if any)			6. NAME OF EMPLOYEE Lorena Vaughn		
7. ORGANIZATION (give complete organizational breakdown)					
a. U. S. ENVIRONMENTAL PROTECTION AGENCY			e.		
b. Office of Regional Counsel			f.		
c. Deputy Regional Counsel General Law Counseling Branch (6RC-D)			g.		
d. Dallas, TX 75202			h. EPAYS Organization Code - 90692002		
8. SUPERVISORY/MANAGERIAL DESIGNATION					
<input type="checkbox"/> [S] First or Second level supervisor: An individual who performs supervisory work and managerial responsibilities that require accomplishment of work through combined technical and administrative direction of others and meets the requirements for coverage as described in the General Schedule Supervisory Guide.					
<input type="checkbox"/> [A] An individual (as defined in Section 7103(a)(10) of Title V of the U.S. Code) who is authorized to hire, direct, assign, promote, reward, transfer, lay off, suspend, discipline, or remove one or more employees, or effectively recommend such action. The exercise of this responsibility is not routine or clerical in nature, but requires the consistent exercise of independent judgment.					
<input type="checkbox"/> [M] A manager who directs the work of an organization; is accountable for the success of line or staff programs; monitors, evaluates, and adjusts program activities; and performs the full range of duties outlined in the General Schedule Supervisory Guide. May also include deputies who fully share responsibility for managing the organization or who serve as an alter ego to the manager.					
<input type="checkbox"/> [B] A management official (as defined in Section 7103(a)(11) of Title V of the U.S. Code) who formulates, determines or influences an organization's policies. This means creating, establishing, or prescribing general principles, plans, or courses of action for an organization; or bringing about a course of action for the organization. Management officials must actively participate in shaping the organization's policies not just interpret laws and regulations give resource information or recommendations or serve as experts or highly trained professionals who implement or interpret the organization's policies and plans.					
<input type="checkbox"/> [T] "Team Leader" This position meets the requirements for coverage under Part II of the Work Leader Grade Evaluation Guide.					
<input type="checkbox"/> [N] None of the above applies. This is a non-supervisory/non-managerial position.					
9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.					
a. Typed Name and Title of Immediate Supervisor Lawrence Andrews, Deputy Regional Counsel			d. Typed Name and Title of Second-Level Supervisor Charles J. Sheehan, Regional Counsel		
b. Signature 		c. Date 3/8/05	e. Signature 		f. Date 3/8/05
10. OFFICIAL CLASSIFICATION CERTIFICATION					
a. <input checked="" type="checkbox"/> This position has no promotion potential. <input type="checkbox"/> If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade:			b. Fair Labor Standards Act <input type="checkbox"/> Nonexempt <input checked="" type="checkbox"/> Exempt		c. Functional Code N/A
d. Bargaining Unit Code 8888 XXXXX	e. Check, if applicable: <input type="checkbox"/> Medical Monitoring Required <input type="checkbox"/> Extramural Resources Management Duties (___ % of time) <input type="checkbox"/> This position is subject to random drug testing (___)		f. Signature 		g. Date 3/16/05
REMARKS <i>Classified through Accretion of Duties procedures and meets the requirements of EPA's Merit Promotion Plan.</i> New PD cover sheet reflects current supervisory controls and organizational structure.					

Paralegal Specialist
GS-950-12

INTRODUCTION

As a paralegal specialist in the Office of Regional Counsel, the incumbent assists in the preparation of documents and cases which may include those initiated under the following statutes: the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SDWA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Freedom of Information Act (FOIA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), the Criminal Enforcement Program, and other environmental and general laws. The incumbent is required to coordinate with personnel in a full range of program areas including the various media programs, the Department of Justice, the United States Attorney's Office and the EPA Office of Enforcement. Assists with or manages special technical and legal projects as assigned. Duties require the application of a specialized knowledge of laws, regulations, agency policies and judicial and administrative proceedings to multiple aspects of the Agency's substantive mission.

MAJOR DUTIES

1. Under the direction of a regional attorney, conducts legal and factual research and collection, analysis and evaluation of evidentiary materials, and prepares appropriate legal memoranda using standard legal citations. In so doing, the incumbent selects, summarizes, compares, interprets, and compiles data from a variety of documents into a format best suited to the specific requirements of a case. Findings are closely coordinated with regional attorney, program staff, and other personnel as appropriate. Initiates search for supportive material from a variety of sources on own initiative.
2. Assists regional attorney in preparation of discovery, pleadings and other documents for civil litigation, criminal proceedings and administrative actions. In so doing, incumbent selects, summarizes, compares, interprets and compiles data from a variety of documents into a format best suited to the specific requirements of a case. May assist regional attorney in judicial and administrative actions and/or represent the region at administrative hearings.
3. Prepares legal documents for administrative and judicial actions. Incumbent must coordinate the preparation of these documents with regional attorney and/or technical staff. This coordination consists of discussions with both the attorney, if applicable, and technical staff and examination and evaluation of information obtained orally and in record and file reviews.
4. Organizes and maintains files for current cases and obtains and reviews records, reports, correspondence and court documents. Evaluates and initiates comprehensive file system which allows for quick document retrieval. Coordinates with technical staff, contractors, courts, and others to obtain documents necessary for a current and accurate file system.

5. Responsible for answering requests under Freedom of Information Act (FOIA). Involves analysis, evaluation, review of documents, contact and coordination with Office of Regional Counsel (ORC), program personnel and Requestor while adhering to proper procedures specified under FOIA.
6. Acts as ORC contact for specialized areas of expertise which may include but are not limited to, bankruptcy, liens, certification, citizen suits, computer database (national, regional, and case specific), etc. Responsible for the administrative aspects of programs. Maintains and updates relevant information and acts as resource contact for region.
7. Assists ORC in qualifying, scheduling, interviewing, and selecting of new paralegals, paralegal interns and/or law clerks. Maintains and evaluates resumes of prospective candidates; assists and coordinates paralegal intern program, tracks workload, write evaluations and monitors progress of interns with ORC.
8. Maintains contact with other regional paralegals through networking and formalized structure. Assists in the coordination of formal national conferences which provide training, access to regional contacts, and participation in workgroups.
9. Serves as the Regional Hearing Clerk (RHC) and performs duties in support of the Chief Administrative Law Judge (ALJ) and the Region's two Regional Officers/Presiding Officers (RJOs/RPOs). The incumbent also serves as a legal instrument examiner which involves examining legal documents to determine whether they are complete and if the procedural and formatting requirements of various laws and regulations have been followed. The incumbent receives documents for filing as part of both Administrative and Procedure Act (APA) and non-APA proceedings, and under numerous federal laws with somewhat unique procedures, familiarity with a broad and diverse set of procedures is necessary.

FACTOR 1: KNOWLEDGE REQUIRED BY THE POSITION

Knowledge and skill to effectively plan, direct and coordinate activities, and to conduct the review and evaluation of potential legal actions. Includes a comprehensive and practical knowledge of the environmental field that enables incumbent to serve as a specialist in the management of environmental cases.

Employee must have a general knowledge of criminal and civil provisions of environmental protection statutes and an extensive working knowledge of the statutes and regulations administered by the Branch and various actions utilized to enforce them.

General knowledge of business principles and techniques and ability to apply them in analyzing complex and often voluminous and incomplete books and records.

Specific knowledge of the Clean Air Act (CAA), the Clean Water Act (CWA), the Emergency Planning and Community Right-to-Know Act (EPCRA), Safe Drinking Water Act (SDWA), the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide, and Rodenticide Act

(FIFRA), the Resource Conservation and Recovery Act, the Freedom of Information Act (FOIA) and the regulations implementing these acts. Also requires specific knowledge of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits at 40 C.F.R. Part 22.

Specific knowledge of the EPA guidance documents pertaining to the above-referenced statutes and regulations.

Ability to recognize and explore leads; conduct credentials checks, detect subtle discrepancies in information, prepare appropriate memoranda and track work assignments.

Ability to conduct interviews, screen candidates, supervise and monitor work product of interns.

Ability to conduct settlement negotiations in administrative cases and to participate in settlement negotiations in judicial cases.

Knowledge of the Administrative Procedure Act (APA) and non-APA Proceedings and under numerous Federal Laws with somewhat unique procedures, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits which covers actions under the federal statutes which authorize Administrative Procedure Act (APA) and non-APA proceeding that may be assigned to the RJOs/RPOs.

FACTOR 2: SUPERVISORY CONTROLS

Incumbent works under supervision of supervisor or case attorney, making independent judgments as to priority of work and case requirements. Proceeds on own initiative and in accordance with policies and practices prescribed by higher authority, exercises personal knowledge and experience in planning, directing organizing, and coordinating work to be accomplished by target dates and proposing settlement positions in administrative cases. Assignments are performed independently with broad latitude for the exercise of judgement in resolving technical and administrative problems, developing legal arguments, determining supporting evidence, and resolving discrepancies. Incumbent develops the methodology to be used and approach to be taken and keeps the regional attorney or supervisor apprised of activities when controversial problems are encountered. Work is reviewed for accomplishment of overall objectives and adherence to Agency policy.

FACTOR 3: GUIDELINES

Guidelines consist of Agency directives, policies, procedures and guidance, as well as policies governing statutes and promulgated regulations, many of which change frequently. Guidelines have broad applicability and the incumbent uses initiative and resourcefulness to select, apply, and deviate from traditional methods and practices as required either by the individualized nature of enforcement of a particular case or the nature of the problems encountered to solve issues in non-routine situations. Incumbent plans, directs, advises, and coordinates assigned activities

within the Branch(s) and where appropriate, within ORC and uses past experience and knowledge to evaluate the applicability of guidelines on issues in those situations where precedential decisions may be ambiguous or conflict, guidelines are not applicable or where factual situations vary with their guidelines widely to resolve complex or unusual problems.

FACTOR 4: COMPLEXITY

The work is complex though often repetitive and requires the ability to adapt readily to new or changing procedures and requires the incumbent to keep abreast of new case law, regulations and policies. The duties require the ability to interpret, research and apply case law, agency regulations, guidance and policies to cases in question. Unanticipated changes in the law and Agency policy require incumbent to be perceptive, flexible, and innovative. Work requires the interpretation, analysis, coordination, and evaluation of unusually complicated legal matters with voluminous documentation. Incumbent drafts various legal documents, such as questions for interrogatories, portions of PRNs or Litigation Reports, consent degrees, and bankruptcy Proof of Claim referrals to DOJ and prepares comprehensive memoranda which serve as the basis of regulatory, administrative or other legal arguments, interpretations, or opinions. The ability to prepare for and participate in settlement conferences, depositions, and hearings is also required.

The work includes determining what needs to be done to accomplish successfully the goals of the Agency in the context of several statutory schemes pertaining to environmental enforcement. The requirements of the various statutes are different in format and methodology. The work also involves understanding the often subtle interrelationships of the various Acts. Incumbent interprets and evaluates disparate information gathered from a variety of source and utilizes technical and programmatic knowledge and skills to assure all completed work is supportable and consistent with Agency regulations, policies and guidelines.

The work includes a broad range of activities typical of an administrative or professional position. Decisions regarding work to be performed include major areas of uncertainty in approach, methodology, interpretation and evaluation processes resulting from such elements as continuing changes in the program, technological developments, unknown phenomena or conflicting requirements. Collects, sorts and analyzes ambiguous technical or evidentiary data by using a variety of quantitative and qualitative techniques and interpret incomplete or conflicting information. Work often involves complex cases which may require several years of ongoing case development activities. Duties may require the reconstruction of events from circumstantial evidence.

FACTOR 5: SCOPE AND EFFECT

The work performed affects the efficiency of ORC and has both implications for the enforcement efforts of the entire Region and other EPA Regions. The position provides a specialist to assist in the development of environmental cases pursuant to the various environmental statutes. The purpose of this work is to plan, review, negotiate, and recommend decisions on enforcement cases thereby freeing the attorneys to perform other legal work and to enhance the effectiveness

of the office in carrying out its mission. In doing so, incumbent monitors the consistency of administrative decisions issued throughout the Agency and is essential to case development.

The work involves developing strategies for handling complex and sometimes large legal assignments which vary from case to case. Incumbent advises attorneys and program staff on interpretation of findings and highly specialized problems of case development.

Incumbent researches issues of law and assists in the development of proposed Agency positions. The work involves establishing criteria, formulating projects, assessing program effectiveness, and/or investigating or analyzing a variety of unusual conditions, problems or questions. Involves complex legal questions, circumstances, problems, or unusual fact situations. Involves complex technical, legal, and administrative issues resolved on a case-by-case basis that may lead to recommendations for enforcement action.

Enforcement work is complex and it can affect the livelihood of persons and businesses. The work product or service affects a wide range of Agency activities, major activities of industrial and municipal concerns, and the operation of other departmental agencies in the Federal, State, and local governments such as the Department of Justice (DOJ), state environmental Resources (PADER), and various town planning boards.

FACTOR 6: PERSONAL CONTACT

Works closely with regional attorneys, technical staff, and other regional personnel. Also has contact with Regional Offices, Headquarters, Department of Justice, U.S. Attorney offices, FBI, state and local government, and contractors. Contact with the general public is frequent.

FACTOR 7: PURPOSE OF CONTACT

Contact are to obtain and relay critical information relevant to alleged or suspected violations of environmental statutes to develop aspects of a case. Contacts are initiated to resolve technical problems, to determine and coordinate a course of action, and to gather information necessary to negotiate and settle cases informally. Contacts are made to convince respondent or others of the accuracy of factual, technical, procedural, or other interpretations and which typically involve issues about which there are conflicting interests and opinions among individuals who are also specialists, including those of private industry and headquarters. Good communications skills, as well as tact and diplomacy must be applied in all circumstances.

FACTOR 8: PHYSICAL DEMANDS

Work within the office is sedentary requiring ordinary physical activity in an office settings, such as walking, bending, and stooping, although climbing, lifting heavy boxes of documents and carrying and gathering such documentation may be required during investigation activities.

FACTOR 9: WORK ENVIRONMENT

Work is performed in an office setting in close proximity with co-workers. Additionally, a work station should be provided for the voluminous documents gathered during an investigation. Visits sometimes have to be made to a courthouse or other places away from the usual work station. Infrequent travel by commercial means is required.